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23 UNITED STATES DISTRICT COURT  
24 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
25 SAN FRANCISCO DIVISION

26 AMERICAN FEDERATION OF  
27 GOVERNMENT EMPLOYEES, AFL-CIO, et  
28 al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, et al.,

Defendants.

Case No. 3:25-cv-03698-SI

**DECLARATION OF EVERETT KELLEY**

**DECLARATION OF EVERETT KELLEY**

I, Everett Kelley, declare as follows:

1. I am over 18 years of age and competent to give this declaration. This declaration is based on my personal knowledge, information, and belief.

2. I am the National President of the American Federation of Government Employees, AFL-CIO (AFGE), a labor organization and unincorporated association that represents approximately 800,000 federal civilian employees through its affiliated councils and locals in every state in the United States. AFGE's federal employee members include nurses, border patrol agents, correctional officers, health care workers, civilian employees in the Department of Defense, employees of the Social Security Administration, scientists in the Centers for Disease Control and Prevention, and employees in nearly every other federal agency.

3. Of the federal departments and independent agencies that are Defendants in this case, AFGE represents bargaining units of employees at each of the following:

Office of Personnel Management

Department of Agriculture

Department of Commerce

Department of Defense

Department of Energy

Department of Health and Human Services

Department of Homeland Security

Department of Housing and Urban Development

Department of Justice

Department of Interior

Department of Labor

Department of State

Department of Treasury

Department of Transportation

Department of Veterans Affairs

1 Environmental Protection Agency

2 General Services Administration

3 National Science Foundation

4 Small Business Administration

5 Social Security Administration

6 4. AFGE also represents federal employees in bargaining units at various other  
7 independent federal agencies, including Agency for International Development, Consumer  
8 Product Safety Commission, Chemical Safety Board, Court Services and Offender Supervision  
9 Agency, U.S. International Development Finance Corporation, Federal Trade Commission, Inter-  
10 American Foundation, Institute of Museum and Library Services, National Archives and Records  
11 Administration, National Endowment of Arts, National Endowment for the Humanities, National  
12 Gallery of Art, Railroad Retirement Board Smithsonian Institute, U.S. Agency for Global Media,  
13 and U.S. International Trade Commission.

14 5. AFGE advocates on behalf of its members and seeks to promote dignity, safety,  
15 and fairness for government employees. Our core functions include providing support, guidance,  
16 and resources to our affiliates, which are the officially recognized exclusive representatives of  
17 federal employees in various bargaining units.

18 6. AFGE represents over 50,000 federal employees in the State of California, at  
19 agencies including, but not limited to, the Department of Veterans Affairs, the Small Business  
20 Administration, the Environmental Protection Agency, and the Department of Defense. AFGE has  
21 several affiliates that represent employees in the San Francisco Bay Area, including employees at  
22 the San Francisco Veterans Health Care System, the Palo Alto VA Medical Center, and various  
23 Social Security Field offices and military installations.

24 7. Membership in AFGE is voluntary.

25 8. AFGE's activities and staff are funded through our members' voluntary dues.

26 9. The unprecedented purging of federal employees through mass reductions in force  
27 (RIFs) has harmed both AFGE and its members.

1           10.     AFGE has devoted considerable resources to responding to requests and providing  
2 guidance about the mass RIFs. Demand for AFGE's assistance, and the assistance of its affiliates,  
3 has risen substantially since when mass RIFs were first announced after the President's February  
4 11, 2025 Executive Order.

5           11.     AFGE's staff have received several thousand emails since February 11, 2025, from  
6 members and federal employees seeking guidance on RIFs. Staff in each AFGE department have  
7 been inundated with phone calls from members, asking questions about what the RIFs will mean  
8 for their rights as employees. AFGE must answer these questions to represent our members and  
9 affiliates effectively.

10          12.     Altogether, AFGE staff have been forced to spend literally thousands of hours  
11 responding to the calls and emails from members and affiliates related to mass RIFs that would  
12 have otherwise been spent on other matters. Part of why these calls and emails are so time-  
13 consuming is because the various agencies have not responded to our local officers' information  
14 requests about RIFs and reorganization plans, so we do not have concrete information to send out  
15 to members.

16          13.     The increase in resources devoted to RIFs, including assisting locals with sending  
17 information requests, filing grievances, and reviewing RIF notices, has diverted resources from  
18 other AFGE members' needs and other AFGE priorities. For instance, the time spent responding  
19 to and addressing RIFs has prevented AFGE's field representatives from filing grievances on other  
20 contract violations for affiliates, advising affiliates on other pressing matters such as responding to  
21 attacks on collective bargaining and organizing unrepresented members.

22          14.     The manner in which the RIFs are occurring makes it particularly challenging to  
23 provide guidance and advice to members and affiliates on this issue. The sheer scale of the mass  
24 RIFs is unprecedented and requires an unprecedented mobilization of resources in response. As  
25 mentioned above, we do not often receive information in response to information requests, but  
26 when information is communicated it is often inaccurate or conflicting in RIF notices. AFGE has  
27 seen RIF notices that contain specious justifications tied to executive actions and presidential  
28 memoranda related to diversity, equity, and inclusion programs, hiring freezes, liquidation and

1 elimination of federal programs and services, and this creates confusion and fear among our  
2 members. Many RIF notices contain incorrect job titles and lengths of service, which are relevant  
3 to retention factors. An AFGE member at the Department of State was instructed to cross out the  
4 inaccurate job title and write in the correct one on her RIF notice. These challenges in providing  
5 advice on RIFs have resulted in significant resources being spent on this matter. For example, I  
6 have assigned multiple attorneys and other professional staff in several departments to provide  
7 guidance to our affiliates regarding the RIFs. These AFGE staff members would have otherwise  
8 provided counseling and representation to our affiliates on other matters.

9       15. In the field, AFGE's field staff has been required to divert their attention from  
10 typical representation and organizing work, to respond to inquiries and assist affiliates with  
11 addressing the mass RIFs. In particular, AFGE has over sixty National Representatives ("NR")  
12 whose primary responsibilities include representing AFGE members and affiliates in various  
13 geographic locations throughout the United States. The NRs typically file grievances for affiliates,  
14 help them conduct membership meetings, assist with bargaining, and provide general guidance  
15 and advice. Due to the surge in RIF threats and notices, NRs have been overwhelmed with  
16 requests for guidance and advice on what our affiliates and members can do in response to RIFs.

17       16. In addition to diverting resources, several AFGE bargaining units have already  
18 significantly diminished or will soon diminish in size as a result of the mass RIFs. For instance,  
19 we are aware of over 40 AFGE bargaining unit employees adversely affected by RIFs at the Office  
20 of Personnel Management; over 560 bargaining unit employees at the General Services  
21 Administration; over 160 bargaining unit employees at the Centers for Disease Control and  
22 Prevention; hundreds of bargaining unit employees at the Department of Labor in the Enforcement  
23 Division of the Office of Federal Contract Compliance Program; thousands of bargaining unit  
24 employees at the Department of Health and Human Services; and thousands more at other  
25 government agencies represented by AFGE, such as the Department of State, Department of  
26 Veterans Affairs, U.S. Agency for Global Media, and the Small Business Administration.

27       17. AFGE believes that thousands of employees in its bargaining units have been and  
28 will continue to be separated through RIFs but has been unable to gather this data because many

1 agencies have failed to provide AFGE's affiliates sufficient information, as required by applicable  
2 collective bargaining agreements or upon receipt of a valid request for information under 5 U.S.C.  
3 §7114(b)(4), to calculate how many employees are adversely affected by mass RIFs.

4 18. Based on decades of experience as a union leader, I know that a union's bargaining  
5 power derives from the number of employees it represents at an agency. Our voice as an  
6 organization is the collective voice of our members and the employees we represent. By  
7 significantly reducing the size of AFGE's bargaining units in such a hurried manner, the mass  
8 RIFs have effectively limited AFGE's bargaining power.

9 19. AFGE will likely lose thousands of members as a result of RIFs because the  
10 majority of AFGE members retain their membership through automatic dues deduction. With the  
11 passing of each biweekly payroll cycle, separated employees who pay membership dues through  
12 dues deduction may be dropped from AFGE's membership rolls.

13 20. The loss of thousands of members will significantly affect AFGE's revenue and its  
14 ability to provide services to its members and affiliates.

15 21. Combined, the loss of dues revenue, the reduction in AFGE's bargaining power,  
16 and the significant diversion of resources, have impeded AFGE's ability to perform its core  
17 mission of serving federal employees.

18 22. I have heard from or am aware of thousands of federal employees that have been  
19 separated due to RIFs. When employees are separated due to RIFs, they lose their health insurance  
20 coverage for themselves and their spouse and dependents who were covered under their health  
21 plan. This means that the thousands of federal employees—and that number continues to grow—  
22 and their families will lose health insurance coverage.

23 23. AFGE's members have suffered in ways beyond just financial harm as a result of  
24 their separation through RIFs.

25 24. For instance, we have heard from several members who will have to relocate and  
26 interrupt their children's schooling as a result of their separation.

27 25. Federal employees have also informed us of the severe emotional distress they are  
28 suffering from as a result of the sudden, pretextual RIFs. As a veteran myself, I am particularly

1 concerned about the impacts of these removals on the numerous disabled veterans in our  
2 membership, many of whom struggle with serious mental health issues.

3       26. In addition to being personally harmed, our members, our organization, and the  
4 community have been harmed by the removals effect on government agencies' provision of  
5 services.

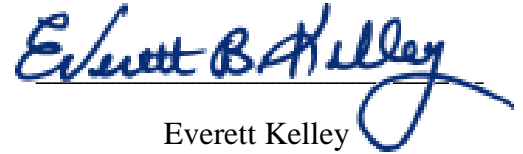
6       27. For example, I have been informed that thousands of AFGE bargaining unit  
7 employees in the Centers for Disease Control and Prevention and National Institute for  
8 Occupational Safety and Health have been notified of their impending separation through a mass  
9 RIF that will cripple the Agency's ability to fulfill its statutory obligations to the American public.  
10 This includes conducting research and delivering health resources to prevent work-related illness,  
11 disability, injury, and death.

12       28. Further, more AFGE bargaining unit employees in the Department of State Counter  
13 Foreign Information Manipulation and Interference Hub, Small Business Administration Office of  
14 International Trade, and Office of Personnel Management Office of Executive Secretariat,  
15 Privacy, and Information Management have been notified of their impending separations through  
16 mass RIFs. These dedicated federal employees perform essential services to the American public,  
17 and if these mass RIFs are implemented, the affected departments and agencies will no longer  
18 being able to effectively deliver these essential services. I have already heard reports of long waits  
19 and delayed benefits due to understaffing at Social Security Administration offices, and those  
20 delays will increase as the planned reduction of 7,000 employees is carried out.

21       29. Like myself, tens of thousands of AFGE members are veterans. The mass RIFs  
22 impact on the provision of government services will adversely affect veterans, including AFGE  
23 members, ability to receive adequate health care and benefits. The Department of Veterans Affairs  
24 announced plans to reduce its staffing levels by more than 80,000 employees by the end of the  
25 fiscal year. This will result in even lower staffing in offices already chronically understaffed.

26       30. The pace of the RIFs that have happened so far, together with media reports  
27 showing that mass RIFs are ongoing, makes clear injuries suffered by AFGE and its members are  
28 ongoing or imminent and will persist unless this Court intervenes.

1 I declare under penalty of perjury under the laws of the United States that the foregoing is  
2 true and correct. Executed this 28th day of April 2025, in Washington, D.C.

3   
4  
5 Everett Kelley